

2002

## Legislative Watch

Human Rights Brief

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## LEGISLATIVE WATCH

Legislative Watch reports on pending U.S. legislation relevant to human rights and humanitarian law. This list is not meant to be comprehensive.

### **Mental Health Juvenile Justice Act, S. 2198**

**Major Sponsor:** Sen. Paul D. Wellstone (D-MN)

**Status:** Read twice and referred to the Committee on the Judiciary on February 26, 2002.

**Substance:** This bill amends the Juvenile Justice and Delinquency Prevention Act of 1974 to direct the Administrator of the Office of Juvenile Justice and Delinquency Prevention to issue grants to train state juvenile justice system officers and employees regarding appropriate access to mental health and substance abuse treatment services for juveniles. The bill specifically directs the attorney general and the secretary of Health and Human Services to provide grants to partnerships between state and local or county juvenile justice agencies, and state and local mental health authorities, for programs that provide for appropriate diversion of juveniles from incarceration and for mental health screening and treatment. The bill also charges the secretary with issuing grants to monitor mental health and special education services to, and advocacy on behalf of, juveniles. To be eligible for funds under this bill, states must have in place, by January 1, 2003, a program of mental health screening and treatment for appropriate categories of offenders during periods of incarceration and supervision that is consistent with guidelines issued by the attorney general. The bill also amends the Public Health Service Act to direct the attorney general and the secretary of Health and Human Services to award competitive grants to eligible entities for programs that address the service needs of juveniles in general, and of juveniles with serious mental illnesses through diversion and treatment services. This would include the provision of services to juveniles on probation, on parole, or to those who have been discharged. Finally, the bill establishes a Federal Coordinating Council on Criminalization of Juveniles with Mental Disorders to study and coordinate the criminal and juvenile justice and mental health and substance abuse activities of the federal government, and to report to Congress on pro-

posed legislation to improve the treatment of mentally ill juveniles who come in contact with the juvenile justice system.

### **International Child Safety Improvement Act of 2002, S. 1920**

**Major Sponsor:** Sen. Bill Nelson (D-FL)

**Status:** Read twice and referred to the Committee on the Judiciary on February 7, 2002.

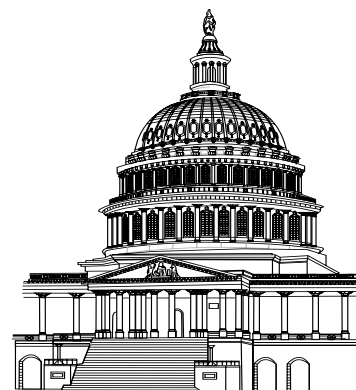
**Substance:** This bill requires the attorney general, in consultation with the secretary of state, to conduct a study regarding the ability of the Federal Bureau of Investigation (FBI) to prevent and combat international crimes involving children. The study would examine the way in which the FBI works with other federal, state, and local law enforcement agencies in conducting international criminal investigations involving children. Further, the bill proposes a review of the current resources allocated to those investigations, and an assessment of what resources may be needed to improve the ability of the FBI to investigate and prevent those crimes. The bill stipulates that when investigating international crimes involving children, the FBI also shall coordinate and share information regarding an investigation with the International Criminal Police Organization.

### **Restoration of Fairness in Immigration Act of 2002, H.R. 3894**

**Major Sponsor:** Rep. John Conyers, Jr. (D-MI)

**Status:** Referred to the House Committee on the Judiciary on March 7, 2002.

**Substance:** This bill amends the Immigration and Nationality Act (INA) to improve access to due process in immigration proceedings, including due process in expedited removal proceedings, and judicial review in immigration and detention proceedings. The bill charges the attorney general with making periodic reports with respect to persons detained after September 11, 2001, and directs the secretary of state to establish a Board of Visa Appeals. The bill revises INA provisions relating to: (1) removal proceedings; (2) five-year bars to admission and other grounds for exclusion;



(3) family reunification-related visas and grounds of admissibility; (4) voluntary departure; (5) public charge determinations and affidavits of support; (6) asylum and refugee proceedings; (7) asset forfeiture; (8) parole authority; and (9) state personnel performing immigration functions. Finally, the bill instructs the Commissioner of the Immigration and Naturalization Service to establish an Office of Border Patrol Recruitment and Retention.

### **Battered Immigrant Family Relief Act of 2001, H.R. 3828**

**Major Sponsor:** Rep. Janice D. Schakowsky (D-IL)

**Status:** Referred to the Committee on the Judiciary, as well as the Committees on Education, Workforce, Ways and Means, Energy and Commerce, and Agriculture on February 28, 2002.

**Substance:** This bill amends the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to make qualifying battered alien spouses and children eligible for specified public benefits. To that end, the bill modifies procedures and provides special rules for battered aliens with respect to the following issues: (1) public charge inadmissibility; (2) immigrant petitions, including self-petitioning petitions; (3) implementation of immigration provisions in the Violence Against Women Act (VAWA); (4) fiancée conditional residency requirement; (5) removal and inadmissibility; (6) adjustment of status; and (7) access to VAWA for visa waivers. 🌐